

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:24-cv-00234-MOC**

JESSE JAMES MONTGOMERY,)
)
 Plaintiff,)
)
 vs.) **ORDER**
)
)
 DAKOTA WOLFE, et al.,)
)
 Defendants.)
 _____)

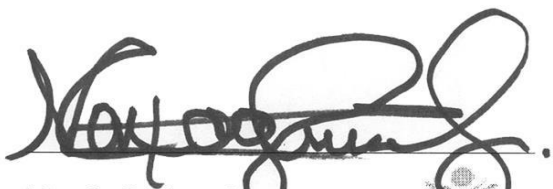
THIS MATTER is before the Court on review of the docket in this matter.

Pro se Plaintiff Jesse James Montgomery (“Plaintiff”) filed this action on or about September 10, 2024, pursuant to 42 U.S.C. § 1983. [Doc. 1]. On initial review of Plaintiff’s Complaint pursuant to 28 U.S.C. §§ 1915(e)(2) and 1915A, the Court found that Plaintiff failed to state a claim upon which relief can be granted and allowed Plaintiff thirty (30) days from October 4, 2024, to amend his Complaint in accordance with the terms of the Court’s Order. [Doc. 6]. The Court advised Plaintiff that if he failed to timely file an amended Complaint, this action would be dismissed without prejudice and without further notice to Plaintiff. [Id. at 8].

More than 30 days have passed, and Plaintiff has not filed an amended Complaint. The Court will, therefore, dismiss this action without prejudice.

IT IS, THEREFORE, ORDERED that this action is dismissed without prejudice.

The Clerk is instructed to terminate this action.
Signed: November 22, 2024


Max O. Cogburn Jr.
United States District Judge